

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: LEO SCHWARTZ

1:25-mc-00089 (ALC)

ORDER OF DISMISSAL

ANDREW L. CARTER, JR., United States District Judge:

By order dated April 25, 2025, this Court directed Plaintiff to show cause in writing as to why this case should not be dismissed as an improper use of the miscellaneous docket on or before June 28, 2025. *See* ECF No. 4. That order specified that failure to comply would result in dismissal. *See id.* at 2. To date Plaintiff has not submitted a response to the Court’s order. Accordingly, this miscellaneous action is dismissed without prejudice. *See Rytlewski v. Gov’t of United States*, No. 20-CV-8543, 2020 WL 6586373 (S.D.N.Y. Nov. 9, 2020) (no miscellaneous action where petition was unrelated to a pending case and did not fall within the list of ancillary administrative matters that qualify as miscellaneous cases under the District Clerks’ Manual).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is respectfully directed to close this matter.

SO ORDERED.

**Dated: July 7, 2025
New York, New York**

Andrea T. Carter

**ANDREW L. CARTER, JR.
United States District Judge**